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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/772,277

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Akira Nomiya

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ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER

MORRISON, THOMAS A

ART UNIT

PAPER NUMBER

3653

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/772,277	Applicant(s) NOMIYAMA ET AL.	
	Examiner THOMAS A. MORRISON	Art Unit 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/30/2008 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 21-31 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. Upon further review of the claims, the examiner determined that there is some structure or structural relationship that is needed in claims 21 and 25 in order to understand how the claimed apparatus operates. The omitted structural cooperative relationship is: (1) the structure or structural relationship between the other claimed elements in claims 21 and 25 that allows the travel regulating member to be rotated via the controller, as claimed. Further clarification is requested as to what structure makes the travel regulating member rotate, as claimed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 21-31, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication No. 2004/0003980.

Regarding claim 21, Figs. 1a-3e show an apparatus for receiving and paying paper moneys, comprising:

a stacking device (118) for stacking the paper moneys therein;

a paper money size detector (108) to detect sizes of the paper moneys to be stacked in the stacking device (118);

a travel regulating member (including 211 and 212) to regulate travels of a collected bundle of only paper moneys of a same size to be stacked in the stacking device (118), wherein the travel regulating member (including 211 and 212) receives and holds thereon the collected bundle of only the paper moneys of the same size; and

a controller (including 120) to control the travel regulating member (including 211 and 212) to be rotated to move the received and held collected bundle of paper moneys of the same size to be stacked into the stacking device (118).

Regarding claim 22, numbered paragraph [0097] discloses that the controller (including 120) detects an amount of the paper moneys received and held by the travel regulating member (including 211 and 212) to control the travel regulating member (including 211 and 212) so that the travel regulating member (including 211 and 212) moves the received and held paper moneys to be stacked into the stacking device (118).

Regarding claim 23, Fig. 2c shows that the travel regulating member (including 211 and 212) comprises a single stacked-money supporting arm (211).

Regarding claim 24, Fig. 2c shows that the travel regulating member (including 211 and 212) comprises not more than two stacked-money supporting arms (211 and 212).

Regarding claim 25, Figs. 1-3e show an apparatus for receiving and paying paper moneys, comprising:

- a stacking device (118) for stacking the paper moneys therein,
- a paper money size detector (108) to detect sizes of the paper moneys to be stacked in the stacking device (118),

- a travel regulating member (including 211 and 212) to regulate travels of a collected bundle of a plurality of sheets of only paper moneys of a same size to be stacked in the stacking device (118), wherein the travel regulating member (including 211 and 212) receives and holds thereon the collected bundle of a plurality of sheets of only the paper moneys of the same size, the travel regulating member (including 211

and 212) adapted to hold a plurality of sheets of the paper moneys in a stack at a same time, and

a controller (including 120) to control the travel regulating member (including 211 and 212) to be rotated to move the received and held collected bundle of a plurality of sheets of paper moneys of the same size to be stacked into the stacking device (118).

Regarding claim 26, Fig. 2c shows that the travel regulating member (including 211 and 212) comprises a single stacked-money supporting arm (211).

Regarding claim 27, numbered paragraph [0097] discloses a stacked-money volume detecting means to detect the volume of stacked money stacked adjacent the travel regulating member (including 211 and 212).

Regarding claim 28, Fig. 2c shows that the travel regulating member (including 211 and 212) comprises a stopper part (unnumbered element to which the spring 218 is connected) and a paper money supporting part (surface of 211 and/or surface of 212).

Regarding claim 29, numbered paragraph [0097] discloses that the controller (including 120) controls a height of the travel regulating member (including 211 and 212) based on a size of the collected bundle of paper moneys being introduced into the stacking device (118).

Regarding claim 30, Fig. 2c shows that the travel regulating member (including 211 and 212) comprises a stopper part (unnumbered element to which the spring 218 is connected) and a paper money supporting part (surface of 211 and/or surface of 212).

Regarding claim 31, numbered paragraph [0097] discloses that the controller controls a height of the travel regulating member (including 211 and 212) based on a

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size of the collected bundle of a plurality of sheets of paper moneys being introduced into the stacking device (118).

Response to Arguments

4. Applicant's arguments with respect to claims 21-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THOMAS A. MORRISON whose telephone number is (571)272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick H. Mackey/
Supervisory Patent Examiner, Art
Unit 3653

4/11/2008